

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MIC GENERAL INSURANCE CO.,

Plaintiff,

-against-

KOWSILLA PERSAUD, DANNY PERSAUD, and
MANUEL MERINO,

Defendants.

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ERIC KOMITEE, United States District Judge:

The Court has received Magistrate Judge Taryn A. Merkl's Report and Recommendation (R&R) dated January 14, 2022. Judge Merkl recommends that I deny Plaintiff's motion for default judgment, ECF No. 12, without prejudice, because it is moot in light of the parties' representation that they have reached a settlement in principle. See ECF No. 19. Neither party has filed objections and the time to do so has expired. Accordingly, the Court reviews the recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord *State Farm Mut. Auto. Ins. Co. v. Grafman*, 968 F. Supp. 2d 480, 481 (E.D.N.Y. 2013). Having reviewed the record, I find no error and therefore adopt the R&R in its entirety. Thus, I deny Plaintiff's motion for default judgment as moot, without prejudice. Consistent with Judge

MEMORANDUM & ORDER
21-CV-1173 (EK) (TAM)

Merkl's order dated February 15, 2022, the parties are ordered to file a stipulation of dismissal by March 14, 2022.

SO ORDERED.

/s/ Eric Komitee
ERIC KOMITEE
United States District Judge

Dated: February 18, 2022
Brooklyn, New York